

EXHIBIT A

☐ Cross ☐ Amended ☐ 0005

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS COUNTY DEPARTMENT - PROBATE DIVISION

Case No. 2017P001506Calendar 7**FILED****JUL 16 2024**Estate of Nancy L. JonesIRIS Y. MARTINEZ
CLERK OF CIRCUIT COURT
Deceased**PETITION FOR LETTERS OF ADMINISTRATION**

In accordance with §9-4 of the Probate Act of 1975 [755 ILCS 5/9-4],

Herman Williams

[printed name of the Petitioner]

states under the penalties of perjury:

1. Nancy L. Jones, whose place of residence at the time of death was
[printed name of the decedent]
- 7125 N. McAlpin Avenue Chicago Cook Illinois
[address] [city] [county] [state]
- died on 2/1/17, at Chicago, IL
[date] [city] [state]

[if the decedent was not a resident of Illinois, add: "owning real or personal estate in this county and state"]

2. The approximate value of the estate in this state is:

Personal \$ 0.00 Real \$ 0.00 Annual income from Real Estate \$ 0.00

3. The names and post office addresses of the decedent's heirs (and in the case of a minor or a person with a disability, of a personal fiduciary designated to act for him or her pursuant to §28-3 of the Probate Act [755 ILCS 5/28-3]) are set forth on Exhibit A attached to this PETITION; [Indicate the relationship of each heir and, if the heir is a minor (M) or a person with a disability (D), so state.]
4. The names and post office addresses of the persons who are entitled to nominate an administrator in preference to (P) or equally with (E) the Petitioner are also set forth on **Exhibit A**; [If none, so state: _____.]
5. The Petitioner is a plaintiff in a lawsuit against the estate of the decedent and is legally qualified to act, or to nominate a resident of the United States to act, as administrator;
6. The Petitioner nominates Annette Huller
[printed name of the proposed administrator]
- One South Dearborn, Suite 1400, Chicago, IL 60603
[address of proposed administrator]

who is qualified under §9-1 of the Probate Act of 1975 [755 ILCS 5/9-1] to serve because the person has attained the age of 18 years, is a resident of the United States, is not of unsound mind, is not an adjudged person with a disability, and has not been convicted of a felony.

Case No. 2017P001506

7. The Petitioner seeks:

☒ Independent Administration.

☐ Supervised Administration.

The Petitioner asks that Annette Huller

[printed name of the proposed administrator]

be appointed independent administrator and for Letters of Office to issue.
(independent) (supervised)

If a counsel or consular agent is to be notified, name country: _____

/s/ Herman Williams

[signature of the Petitioner]

One South Dearborn, Suite 1400

[address]

Chicago, IL 60603

[city/state/zip]

/s/ John S. Marrese

Attorney Certification

Attorney Number 59648

Name John Marrese

Firm Name Hart McLaughlin & Eldridge, LLC

Attorneys for Petitioner

Address One South Dearborn, Suite 1400

City/State/Zip Chicago, IL 60603

Telephone 312-955-0545

Email jmarrese@hmelegal.com

EXHIBIT A

**Attached to and made a part of a Petition for Letters of Administration
Estate of Nancy L. Jones, Deceased.**

| Name | Relationship | Heir/Equal/Preference | Address |
|---------------------------|---------------------|------------------------------|--|
| Mary K. Jones | Mother | H-E | 3101 Wilson Avenue Aliquippa, PA 15001 |
| Mary Elizabeth McHenry | Sister | H-E | 68 Darlington Road Beaver Falls, PA 15010 |
| Karen Jones | Sister | H-E | 3101 Wilson Avenue Aliquippa, PA 15001 |
| David C. Jones | Brother | H-E | PO Box 15 Lovingston, VA 22949 |
| Edward A. Jones | Brother | H-E | 3101 Wilson Avenue Aliquippa, PA 15001 |
| Carole A. Jones | Sister | H-E | 2115 Linwood Avenue Erie, PA 16510 |

| | | |
|--|------------|--|
| IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS COUNTY DEPARTMENT - PROBATE DIVISION | | FILED JUL 16 2024 IRIS Y. MARTINEZ CLERK OF CIRCUIT COURT |
| Case No. 2017P001506 | Calendar 7 | |
| Estate of Nancy L. Jones | Deceased | |
| PROOF OF MAILING AND PUBLICATION | | |

The undersigned states under the penalties of perjury:

1. On 7/12/2024, the following required **NOTICES*** were mailed to each person whose name and address are stated on the second page:

Notice to heirs of hearing on petition for letters of administration

Copies of each **NOTICE** and the required documents, as mailed, are in the possession of the attorney.

2. The following required **NOTICES*** have been published:

The publisher's certificate for each **NOTICE** is attached hereto or is on file with the clerk of the court.

/s/ John S. Marrese

[signature of the representative or the attorney]

07/12/2024

[date]

/s/

Attorney Certification if signed by the
representative (Sup. Ct. Rule 137)

* Fill in the blank lines in paragraphs 1 and 2 with the appropriate notices under the Probate Act. The more frequently used forms are listed on the second page.

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| MAILED NOTICES | | |
|-----------------|---------------|---|
| Probate Act § | | Description of Notice |
| Form # 1020 | 6-10 | Notice to heirs and legatees - Will admitted |
| Form # 1003 A-B | 28-2 | Notice to heirs and legatees of rights in independent administration |
| Form # 1004 | 9-5 and 6-2 | Notice to heirs of hearing on petition for letters of administration (or letters of administration with Will annexed) |
| Form # 1007 | 28-4(a)(2) | Notice of termination of independent administration |
| Form # 1008 | 28-11(e) | Notice of final report - independent administration |
| Form # 1009 | 15-1 and 15-2 | Notice to decedent's family members of potential rights to awards. |

| PUBLISHED NOTICES | | |
|-------------------|---------------|--|
| Probate Act § | | Description of Notice |
| (A) | 18-3 | Claims notice |
| (B) | 6-10 and 18-3 | Notice to unknown heirs and legatees of admission of Will, and claims notice |
| (C) | 9-5 and 18-3 | Grant of independent administration in intestacy and claims notice |
| (D) | 28-11(e) | Final report filed — independent administration |
| (E) | 9-8(g) | Summary administration notice |

| Name | Address | City/State/Zip |
|---------------|----------------------|-----------------------|
| Mary Jones, | 3101 Wilson Avenue, | Aliquippa, PA 15001 |
| Mary McHenry, | 68 Darlington Road, | Beaver Falls PA 15010 |
| Karen Jones, | 3101 Wilson Avenue, | Aliquippa, PA 15001 |
| David Jones, | PO Box 15, | Lovingsston, VA 22949 |
| Edward Jones, | 3101 Wilson Avenue, | Aliquippa, PA 15001 |
| Carole Jones, | 2115 Linwood Avenue, | Erie, PA 16510 |

Attorney Number 59648Name John S. MarreseFirm Name Hart McLaughlin & Eldridge, LLCAttorneys for PetitionerAddress 1 South Dearborn Street, Ste 1400City/State/Zip Chicago, IL 60603Telephone (312) 955-0545Email jmarrese@hmelegal.com

8/6/2024 3:12 PM

ERIN CARTWRIGHT WEINSTEIN

Clerk of the Circuit Court

Lake County, Illinois

IN THE CIRCUIT COURT OF THE NINETEENTH JUDICIAL CIRCUIT
LAKE COUNTY, ILLINOIS

In the Estate of:

GREGORY A. GAROFALO

Deceased.

)
)
)
)
)

Case No. 16 P 811

PETITION TO REOPEN ESTATE

Herman Williams (“Mr. Williams”) as creditor and interested person of the Estate of Gregory Garofalo, by and through its attorneys, Golan Christie Taglia LLP, brings this Petition to Reopen the Estate and in support thereof states as follows:

1. Gregory A. Garofalo (the “Decedent”) passed away on May 21, 2016. The Decedent left two heirs, Kimberly Garofalo (his daughter) and Brian Garofalo (his son). A copy of the Order Declaring Heirship is attached as **Exhibit A**.

2. On September 29, 2016, Kimberly Garofalo (“Ms. Garofalo”) was appointed Independent Administrator.

3. On June 6, 2017, Ms. Garofalo was discharged as Independent Administrator and the Estate was closed.

4. Mr. Williams subsequently filed a lawsuit for his wrongful conviction against various defendants, including the Decedent.

5. The Decedent is a necessary party to the lawsuit. The Estate must be reopened so that it is a properly named party and defended in the lawsuit.

6. Pursuant to 755 ILCS 5/24-9, Petitioner, now seeks to reopen, and to re-appoint the discharged Independent Administrator, Kimberly Garofalo, as the Independent Administrator of the Estate.

7. Notice has been given to Kimberly Garofalo and Brian Garofalo.

WHEREFORE, Herman Williams requests this honorable Court enter an Order as follows:

- A. Reopening the Estate;
- B. Re-Appointing Kimberly Garofalo as Independent Administrator of the Estate; and
- C. Granting any such other or further relief as this Court deems just and appropriate.

Dated: August 6, 2024

Respectfully Submitted,

HERMAN WILLIAMS

By: /s/ Toni F. Esparza
Toni F. Esparza

Toni F. Esparza
GOLAN CHRISTIE TAGLIA LLP
70 W. Madison St., Suite 1500
Chicago, Illinois 60602
312.263.2300
tfesparza@gct.law
ARDC # 6335851

EXHIBIT A

Case No.

Deceased

SEP 29 2016

Keith Brin
CIRCUIT CLERK

After considering evidence concerning heirship, the Court declares that the following are the only heirs of the decedent:

[illegible]

ENTER:

Dated this 29 day of Sept, 2016.

Prepared by:

Name: _____

Attorney's Name: Maritess T. Bott

Address: 3701 Algonquin Road, Suite 712

City: Rolling Meadows State: IL

Phone: 847-818-9084 Zip Code: 60008

Fax: 847-818-9087

ARDC #: 6239644

8/27/2024 10:05 AM

ERIN CARTWRIGHT WEINSTEIN

Clerk of the Circuit Court

Lake County, Illinois

**IN THE CIRCUIT COURT OF THE NINETEENTH JUDICIAL CIRCUIT
LAKE COUNTY, ILLINOIS**

| | | |
|----------------------|---|--------------|
| Estate of |) | |
| |) | |
| GREGORY A. GAROFALO, |) | No. 16 P 811 |
| |) | |
| Deceased. | | |

EMERGENCY PETITION FOR LETTERS OF ADMINISTRATION TO COLLECT

In accordance with §10-2 of the Probate Act of 1975 [755 ILCS 5/10-2], Herman Williams, states under the penalties of perjury:

1. Gregory A. Garofalo, whose place of residence at the time of death was 13212 W. Sheffield Lane, Beach Park, Lake County, Illinois, died on May 21, 2016, in Lake County, Illinois.

2. The approximate value of the estate in this state is:

Personal \$0.00 Real \$0.00 Annual Income from Real Estate: N/A

3. A Petition to Reopen Estate has been filed and is set for presentation on September 9, 2024. However, there is a statute of limitations, in which the decedent is a necessary defendant despite no money being sought from him, of September 6, 2024. There will be a delay in the issuance of letters because notice is required to the heirs.

4. The Petitioner is an interested person because petitioner is a creditor of the Estate.

5. The Petitioner seeks to nominate Annette Huller of One South Dearborn St., Suite 1400, Chicago, IL 60603, who is qualified under §9-1 of the Probate Act of 1975 [755 ILCS 5/9-1] to serve because the person has attained the age of 18 years, is a resident of the United States, is not of unsound mind, is not an adjudged person with a disability, and has not been convicted of a felony.

WHEREFORE, Petitioner respectfully requests that this Honorable Court enter an Order:

1. Annette Huller be appointed Independent Administrator to collect and for letters of Office to issue; and

2. For such further relief as this Court deems in necessary and just.

Dated: August 27, 2024

Respectfully Submitted,

By: Toni F. Esparza
One of his Attorneys

Toni F. Esparza
GOLAN CHRISTIE TAGLIA LLP
70 West Madison, Suite 1500
Chicago, IL 60602
(312) 263-2300
tfesparza@gct.law
ARDC# 6335851

8/27/2024 9:09 AM

ERIN CARTWRIGHT WEINSTEIN

IN THE CIRCUIT COURT OF THE NINETEENTH JUDICIAL CIRCUIT
LAKE COUNTY, ILLINOIS

Clerk of the Circuit Court
Lake County, Illinois

Estate of)
)
GREGORY A. GAROFALO,) No. 16 P 811
)
Deceased.)

**AFFIDAVIT IN SUPPORT OF EMERGENCY PETITION FOR LETTERS OF
ADMINISTRATION TO COLLECT**

The undersigned, John Marrese, being over the age of 18, of sound mind, and, first being duly sworn on oath, deposes and states as follows:

1. Herman Williams, through his attorneys, including the undersigned, is petitioning to re-open the Estate of Gregory A. Garofalo. Mr. Williams has filed a civil lawsuit in the U.S. District Court for the Northern District of Illinois seeking recovery for the over 29 years he spent wrongfully imprisoned. The lawsuit is captioned *Herman Williams v. Lucian Tessmann, et al.*, Case No. 1:23- cv-05945 (N.D. Ill.) (the “Litigation”). I am counsel of record for Mr. Williams in the Litigation.

2. Gregory A. Garofalo (the “Decedent”) is a named necessary defendant in the Litigation. Neither Mr. Williams nor his attorneys are seeking any money or assets from the Decedent’s Estate or any of its heirs, assigns, or legatees.

3. The Decedent is currently named in the Litigation, but an administrator must be appointed so that the underlying complaint can be amended to properly name the Estate as a defendant.

4. The statute of limitations lapses on September 6, 2024.

5. On August 6, 2024, Mr. Williams caused to be filed a Petition to Reopen the Estate solely so that Mr. Williams may name the Estate as a defendant in the lawsuit to pursue his wrongful conviction claims. Mr. Williams was granted a certificate of innocence on July 17, 2024,

in the Circuit Court of Lake County, Illinois, for the convictions that are the basis of his wrongful conviction claims.

The first available hearing date for the Petition to Reopen was September 9, 2024—three (3) days after the statute of limitations arguably lapses.

6. If called to testify in open court, I could and would testify to the same statements I have made in this declaration.

VERIFICATION PURSUANT TO 735 ILCS 5/1-109

Under penalties as provided by law pursuant to Section 1-109 of the Code of Civil Procedure, the undersigned certifies that the statements set forth in this instrument are true and correct, except as to matters therein stated to be on information and belief and as to such matters the undersigned certifies as aforesaid that he verily believes the same to be true.

Dated: August 27, 2024

/s/ John Marrese
JOHN MARRESE, ESQ.

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